

## **Board Members**

James J. Cox, Ed.D.  
Chairperson  
Miki Paul, Ph.D.  
Vice-Chairperson  
Gary D. Lovejoy, Ph.D.  
Secretary  
Melissa Del-Colle  
Ramona N. Mellott, Ph.D.  
Joseph C. Donaldson  
Byron N. Rimm  
Maryann Santos de Barona, Ph.D.  
Fred Wiggins, Ph.D.



## **State of Arizona Board of Psychologist Examiners**

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## **Staff**

Maxine McCarthy  
Executive Director  
  
Marcus E. Harvey  
Deputy Director  
  
Korena Schaaf  
Investigator  
  
Shari S. Courtney  
Administrative  
Assistant

## **REGULAR SESSION MINUTES**

**Friday, June 2, 2006**

1400 West Washington  
Basement Conference Room, #B-1  
Phoenix, AZ 85007

### **1. CALL TO ORDER**

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairperson Cox at 8:31 a.m. on Friday, June 2, 2006. Two Executive Sessions were held from 8:39 a.m. to 9:10 a.m. and from 9:50 a.m. to 9:59 a.m. for the purpose of obtaining confidential legal advice from the Board's attorney.

### **2. ROLL CALL**

#### **Board Members Present**

James J. Cox, Ed.D. - Chairperson  
Miki Paul, Ph.D. - Vice-Chairperson  
Gary D. Lovejoy, Ph.D. - Secretary  
Melissa Del-Colle  
Joseph C. Donaldson  
Ramona N. Mellott, Ph.D.  
Maryann Santos de Barona, Ph.D.

#### **Board Members Absent**

Byron N. Rimm  
Fred Wiggins, Ph.D.

#### **Staff Present**

Maxine McCarthy, Executive Director  
Marcus Harvey, Deputy Director  
Korena Schaaf, Investigator  
Shari Courtney, Administrative Assistant

#### **Attorney General's Office**

Erin Cohen, Esq.  
Assistant Attorney General

### **3. REMARKS/ANNOUNCEMENTS**

Chairperson Cox recognized welcomed and introduced the Board's new Assistant Attorney General, Erin Cohen, Esq. He also stated that documentation was available for licensees who wished to receive continuing education credit for attending Board meetings and explained the procedures for documenting the attendance and announced that anyone was welcome to complete a Board meeting assessment survey.

### **4. APPROVAL OF MINUTES**

- **Regular Session – April 7, 2006** – A motion was made by Mr. Donaldson, seconded by Dr. Paul, and carried (7-0), to approve the April 7, 2006 Regular Session minutes.
- **Executive Session – April 7, 2006** – A motion was next made by Dr. Santos de Barona,

seconded by Dr. Lovejoy, and carried (7-0), to approve the April 7, 2006 Executive Session minutes.

- **Regular Session Conference Call – May 5, 2006** – A motion was made by Dr. Mellott, seconded by Dr. Paul, and carried (6-0-1), with Dr. Santos de Barona abstaining, to approve the May 5, 2006 Regular Session Conference Call minutes.
- **Conference Call Regular Session – May 18, 2006** – Finally, a motion was made by Dr. Paul, seconded by Dr. Santos de Barona, and carried (6-0-1), with Dr. Lovejoy abstaining, to approve the May 18, 2006 Regular Session Conference Call minutes.

## **5. CALL TO THE PUBLIC**

Chairperson Cox gave the public the opportunity to address the Board at this time and Paul Franckowiak addressed the Board regarding learning disability diagnostic services for adult learners seeking to obtain a Grade Equivalency Diploma (GED).

## **6. CASE DISCUSSION/DECISION**

### **a) Ronald J. Lavit, Ph.D. – No. 06-04**

The Complainant was present and made a statement to the Board. Dr. Lavit was present with his attorney Kent Turley, Esq., and made a statement to the Board. Dr. Mellott summarized the allegations in this case and Board members proceeded to deliberate. Dr. Lovejoy acknowledged a professional relationship with a social worker involved in this case, but did not feel that it would bias his participation in this case. Dr. Cox acknowledged having worked with Dr. Lavit in the past, but that the last time was in 1998, and that he could participate in an unbiased manner. After some discussion, a motion was made by Dr. Paul, seconded by Dr. Santos de Barona, and unanimously carried (7-0), to move into Executive Session for the purpose of obtaining confidential legal advice from the Board's attorney.

Upon return to open session, Board members resumed deliberations after which a motion was made by Dr. Lovejoy, seconded by Dr. Mellott, and carried (5-2), with Mr. Donaldson and Dr. Santos de Barona voting no, to issue a letter of concern to Dr. Lavit expressing the Board's concerns that: (1) he discussed the results of an invalid MMPI-2 in court, even though a disclaimer was issued, (2) that he misplaced an MMPI-2 and the mother's information sheet and was unable to locate them in his office, (3) that he used the incorrect profile scoring sheet when charting the supplemental scales profile for the father, and (4) that Dr. Lavit may have given the impression that the mother's attempt to follow the Court instructions regarding scheduling appointments for the custody evaluation was a problem.

### **b) Larry C. Stevens, Ph.D. – No. 06-10**

Dr. Mellott informed the Board that she was recused in this case and did not participate in the discussion. Dr. Cox disclosed that he had known Dr. Stevens about 18 years ago in Flagstaff, but that he has not had any contact with him since then and could participate in an unbiased manner. Ms. Del-Colle summarized the allegations in this case. Board members proceeded to deliberate after which a motion was made by Dr. Lovejoy and seconded by Dr. Santos de Barona, to dismiss the case because it was without merit. The motion failed (4-2), with Drs. Cox and Paul and Mr. Donaldson and Ms. Del-Colle voting no.

After further discussion, a motion was made by Dr. Paul, seconded by Ms. Del-Colle, and carried (4-2), with Drs. Lovejoy and Santos de Barona voting no, to offer a consent agreement to Dr. Stevens, finding him in violation of A.R.S. § 32-2061(A)(13)(o), in that he committed a boundary violation when he performed match-making services and offered his clients the use of his condominium for their honeymoon. Dr. Stevens would be placed on probation and required to obtain 16 hours of Category 1 continuing education (CE) courses in ethics, which would include boundary violations, and which would be in addition to the four hours of ethics and 60 hours of CE already required by licensee, to be completed within six-months. The probation would terminate upon his completion of the CE hours.

**7. DISCUSSION/DECISION REGARDING PROPOSED RULE REVISIONS**

Board members discussed the proposed rule revisions approved by the Legislative/Rules Committee and additional rules recommended by staff. The Board discussed some feedback that it received from an inactive licensee regarding rule R4-26-206 which outlines the continuing education (CE) requirements for licensees reinstating a license from inactive to active status. It was the consensus of the Board to accept the other rule changes as amended by the discussion and to amend R4-26-206 to remove the pro-rated CE requirement for licensees who went on inactive status prior to the adoption of the rule requiring pro-rating of CE since a licensee went on inactive status. Dr. Santos de Barona made a motion, seconded by Dr. Lovejoy, and unanimously carried (7-0), to amend R4-26-206 to require that in order to reactivate an inactive license, licensees will be held to the rule that was in place when the applicant went on inactive status. If the inactive status was prior to 1995, when CE rules were first outlined, then the 1995 rule would be the standard.

**8. DISCUSSION/DECISION REGARDING APPROVAL OF TREATMENT PROGRAM REQUIRED UNDER BOARD ORDER 04-27 AND 05-22 – DAVID POOL, Psy.D.**

This item was tabled because the licensee was not present to discuss this matter.

**9. DISCUSSION/DECISION REGARDING KALAS V. BOARD – CV2004-0200**

A motion was made by Dr. Lovejoy, seconded by Dr. Paul, and unanimously carried (7-0), to move into Executive Session to discuss pending or contemplated litigation or settlement to avoid or resolve litigation with the Board's attorney.

**10. EXECUTIVE DIRECTOR'S REPORT**

- **Financial** – Ms. McCarthy reported that at the end of April, with only two months remaining in the fiscal year, the Board had expended only 71% of its total appropriation, as the Board continued its pattern of conservative spending.

Since the Legislature was still in session and had not finalized the budget, Ms. McCarthy continued, the Board could not know what the final budget figures would be for next year's appropriation. Ms. McCarthy hoped to be able to report at the August Board meeting as to the amount of money that would be appropriated for the next fiscal year.

**11. LICENSING REPORT**

- **New Licenses Issued** – Mr. Harvey reported that the Board had licensed the following 16 psychologists since the April 7, 2006 meeting:

3785	Kristi Fuller, Psy.D.	3793	Mark Weisberg, Ph.D.
3786	Kristin Day-Hardwig, Psy.D.	3794	Jill Baillio, Ph.D.
3787	Jennifer Serlin, Ph.D.	3795	Mary Cost, Psy.D.
3788	Lorenzo Azzi, Ph.D.	3796	Melissa Bailey Arizpe, Psy.D.
3789	Susan Patrick, Psy.D.	3797	Amy Bjorkman, Ph.D.
3790	Darcy Sowards, Psy.D.	3798	Brenda Sparrold, Ph.D.
3791	Amy D'Ambrosio, Psy.D.	3799	Heather Barrons, Psy.D.
3792	Lori Burruel-Homa, Psy.D.	3800	Felicia Bleecker, Psy.D.

Mr. Harvey reported that the Board had issued 38 new licenses this year, which compared to 26 licenses issued by this time last year.

- **EPPP Results** – Mr. Harvey then reported that the following eight applicants had passed the Examination for Professional Practice in Psychology in April and May, with three failing:

### **Pass**

Heather Barrons, Psy.D.  
Amy Bjorkman, Ph.D.  
Felicia Bleecker, Psy.D.  
Lori Burruel-Homa, Ph.D.  
Mary Cost, Psy.D.  
Amy D'Ambrosio, Psy.D.  
Darcy Sowards, Psy.D.  
Brenda Sparrold, Ph.D.

### **Fail**

Nancy Means, Psy.D.  
Demetria Brown, Psy.D.  
Elizabeth Sikora, Ph.D.

- **New Applications** – Finally, Mr. Harvey reported that the Board had received 19 new applications and three reapplications over the last two months. This made a total of 51 applications received this year, which compared to 39 total applications received by this time last year.

## **12. INVESTIGATIONS REPORT**

- **New Cases Received** – Ms. Schaaf reported that the Board had received 22 new cases this calendar year, which compared to 21 received by this time last year. Ten of these new cases had been received since the April Board meeting.
- **Cases Resolved** – Ms. Schaaf next reported that 15 cases had been resolved by the Complaint Screening Committee this year, and one case resolved by the Board. This compared to 15 cases resolved by this time last year. The average number of days to resolve cases, Ms. Schaaf reported, was 61 this year, compared to 80 days last year.
- **Board Orders Terminated** – Ms. Schaaf then reported that **Eugene Campbell, Ph.D.** had been on probation for five years beginning on April 6, 2001, requiring psychotherapy, practice supervision for one year, and reimbursement to the client's insurance company. The probation was completed, Ms. Schaaf reported, on April 12, 2006.

Ms. Schaaf next reported that **Holliday Milby, Ph.D.** had signed a consent agreement with the Board on September 14, 2004 agreeing to complete nine hours of graduate-level coursework in individualized psychological assessment interpretation and report writing. Her probation was completed on May 11, 2006.

- **Consent Agreements Signed** – Finally, Ms. Schaaf informed the Board that **Jay Heisler, Ph.D.** has signed the consent agreement offered to him by the Board on May 1, 2006.

Dr. Lovejoy commended the staff and the Board for its timeliness in resolving cases compared to other similar state boards.

## **13. DISCUSSION/DECISION REGARDING APPLICATIONS FOR LICENSURE**

### ➤ **REQUESTS FOR EXAMINATION**

Dr. Mellott made a motion, seconded by Dr. Paul, and carried (5-2), with Drs. Santos de Barona and Lovejoy voting no, to deny the application of **Marilyn Cabay, Ph.D.**, on the grounds that she had failed to demonstrate to the Board's satisfaction that she "Has met the education and training qualifications for licensure prescribed in section 32-2071 or subsection B of this section," as required by A.R.S. § 32-2071.01(A)(1);

In that:

She failed to demonstrate competence by passing a suitable comprehensive examination or by successfully completing at least three or more graduate semester hours in the content area of *Scientific and professional ethics and standards in psychology*, as required by A.R.S. § 32-2071(A)(4)(a) or A.A.C. R4-26-202(C).

➤ **REQUEST FOR LICENSURE**

Dr. Mellott recused herself from voting on the next application so Dr. Paul then made a motion, seconded by Mr. Donaldson, and carried (6-0-1) with Dr. Mellott abstaining from the vote, that **Stephen Bailey, Ed.D.**, having met the requirements of A.R.S. § 32-2071 and A.A.C. R4-26-203, be approved to sit for the Examination for Professional Practice in Psychology (EPPP), and for licensure upon receipt of a passing score on the Examination, and payment of the pro-rated original license fee.

Dr. Mellott next made a motion, seconded by Mr. Donaldson, and unanimously carried (7-0), that **Wade Lueck, Ph.D.**, having met the requirements of A.R.S. § 32-2071.01(A), be approved for licensure upon payment of the pro-rated original license fee.

Dr. Mellott announced that the following applications remained ongoing:

- **A. Lynn Heitzman, Ph.D.**
- **Karla Mueller-Schrader, Ph.D.**
- **Shirley Smart, Ph.D.**

➤ **RATIFY APPROVAL TO RE-TAKE EPPP**

Dr. Mellott made another motion, seconded by Mr. Donaldson, and unanimously carried (7-0), to ratify the approval of the following applicants to re-take the EPPP:

- **Eric Horowitz, Psy.D.**
- **Bonny Ilkovski, Psy.D.**

Dr. Mellott then announced that the following applications also remained ongoing:

- **Kristine Brazzel, Psy.D.**
- **Luz Cornell, Ph.D.**
- **Ariel Coyote, Psy.D.**
- **Marie Hawkins, Psy.D.**
- **Stephen Myles, Ph.D.**
- **Bradley Robison, Ph.D.**
- **Nicole Taylor, Ph.D.**

**14. REPORT ON ASPPB'S APRIL, 2006 MEETING IN SANDESTIN, FLORIDA**

Dr. Mellott reported to the Board many of the highlights of the "Protecting the Public: Challenges in Assessing Competence" Conference held by the Association of State and Provincial Psychology Boards at it's meeting in Sandestin, Florida.

**15. ADJOURNMENT**

There being no further business to come before the Board, a motion was made by Dr. Santos de Barona, seconded by Dr. Paul, and unanimously carried (7-0), to adjourn the meeting at 2:44 p.m.

**Prepared by:**

**Marcus Harvey  
Deputy Director**

**Respectfully submitted,**

**/s/ Gary D. Lovejoy, Ph.D.  
Secretary**